

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Zoo Communications, LLC and)	WZFL(FM), Islamorada, FL
Anco Media Group, LLC)	Facility ID No. 189556
)	
)	WBGF(FM), Belle Glade, FL
)	Facility ID No. 59661
Petition for Declaratory Ruling Under)	
Section 310(b)(4) of the Communications Act)	W228BV, Fort Lauderdale, FL
of 1934, as Amended)	Facility ID No. 138576
)	
)	W228BY, Miami, FL
)	Facility ID No. 140483

TO: Secretary, FCC
FOR: Chief, Media Bureau

**PETITION FOR DECLATORY RULING UNDER SECTION 310(b)(4) OF THE
COMMUNICATIONS ACT OF 1934, AS AMENDED¹**

On behalf of Zoo Communications, LLC (“Zoo”) and Anco Media Group, LLC (“Anco Media”) (together, the “Petitioners”), and pursuant to the Commission’s *Broadcast Clarification*

¹ This Petition is being filed both separately with the Office of the Secretary and also as an exhibit to the above-captioned stations’ application for transfer of control of Zoo Communications, LLC, which is licensee of the four above-captioned stations.

*Ruling*² and *Foreign Ownership Order*³ (together, the “Orders”) and Section 1.5000(a)(1) of the FCC’s rules, we hereby petition the Commission for a Declaratory Ruling permitting Anco Media to acquire indirect 100 percent ownership in those broadcast radio stations at issue,⁴ as the prospective parent of licensee, Zoo, under Section 310(b)(4) of the Communications Act of 1934, as amended (the “Act”). Zoo and Anco Media ask the Commission to exercise its discretion to permit Anco Media to exceed the 25 percent foreign ownership benchmark set out in the Section 310(b)(4) of the Act.

As explained in more detail below, grant of this petition would serve the public interest.

In support of their position, Petitioners submit the following:

² *Commission Policies and Procedures under Section 310(b)(4) of the Communications Act, Foreign Investment in Broadcast Licensees*, Declaratory Ruling, 28 FCC Rcd 16244 (2013) (“*Broadcast Clarification Ruling*”).

³ *Review of Foreign Ownership Policies for Broadcast, Common Carrier and Aeronautical Radio Licenses Under Section 310(b)(4) of the Communications Act of 1934, as Amended*, Report and Order, 31 FCC Rcd 11272 (2016) (“*Foreign Ownership Order*”). The *Foreign Ownership Order* became effective upon its publication in the Federal Register on April 20, 2017. 82 FR 18580 (2017).

⁴ The stations at issue are shown on Exhibit 1.

I. BACKGROUND – LEGAL

1. This request for foreign indirect ownership of Zoo is reviewed under Section 310(b)(4) of the Act, which states that “[n]o broadcast...license shall be granted or held by...any corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country, if the Commission finds that the public interest will be served by the refusal or revocation of such license.”⁵

2. The Commission, in its 2013 *Broadcast Clarification Ruling*, sought to clarify the policies and procedures for evaluating potential foreign ownership of broadcast licensees under Section 310(b)(4) of the Act, in order to remove uncertainty and to encourage foreign investment

⁵ 47 U.S.C. § 310(b)(4).

in broadcasting in the United States.⁶ The FCC concluded that, when reviewing proposed foreign ownership in U.S. broadcast stations under Section 310(b)(4), the 25 percent ownership benchmark, henceforth, would be construed as “only a trigger for the exercise of [FCC] discretion, which [the Commission would] then exercise based upon a more searching analysis of the circumstances of each case.”⁷ The FCC emphasized the need to encourage new sources of investment in the broadcast industry, including foreign investment. The Commission recognized that “changes have occurred in the media landscape and marketplace since the foreign ownership restriction [contained in Section 310(b)(4)] was enacted and that limited access to capital is a concern in the broadcast industry, especially for small business entities and new entrants,

⁶ See *Frontier Media, LLC, Application for Consent to Transfer Control of Licensees and Petition for Declaratory Ruling Under Section 310(b)(4) of the Communications Act of 1934, as Amended*, 32 FCC Rcd, 1427, 1429 (MB 2017). The foreign ownership restrictions contained in Section 310(b) of the Act were originally conceived to address homeland security issues during wartime. They were designed to protect the integrity of ship-to-shore and governmental communications and thwart the airing of foreign propaganda on broadcast stations. *Broadcast Clarification Order*, 28 FCC Rcd at 16244.

⁷ *Id.* at 16249-50.

including minorities and women.”⁸ The Commission declined to adopt a standard review process, instead, stating it would follow a case-by-case approach in reviewing petitions for declaratory ruling to exceed the 310(b)(4) foreign ownership benchmark.⁹

3. Since the adoption of its *Broadcast Clarification Ruling*, the Commission has handed down decisions following its enunciated case-by-case approach with respect to petitions for declaratory ruling to exceed the Section 310(b)(4) 25 percent foreign ownership benchmark. In 2015, the Commission granted a Petition for Declaratory Ruling filed by Pandora Radio LLC ("Pandora"), a publicly traded company, seeking to exceed the 25 percent benchmark set out in Section 310(b)(4) in connection with Pandora's application for consent to an assignment of a

⁸ *Id.* at 16249. The Commission, additionally, clarified that, in its evaluation of petitions for declaratory rulings relating to foreign ownership, it would afford appropriate deference to the expertise of Executive Branch agencies on issues relating to national security, law enforcement, foreign policy and trade policy. *Id.* at 16251. The Commission, uniformly, has followed this approach when considering such petitions for declaratory ruling. *See eg. Frontier Media*, 32 FCC Rcd. at 1430.

⁹ *Broadcast Clarification Order*, 28 FCC Rcd. at 16252.

radio station license.¹⁰ The Commission, through its Media Bureau, has subsequently granted other Petitions for Declaratory Ruling allowing aggregate foreign investment in broadcast licensees of over 25 percent.¹¹

4. Whereas the Commission, in its *Broadcast Clarification Ruling*, adopted a case-by-case approach for reviewing petitions for declaratory ruling seeking to exceed the Section 310(b)(4) foreign ownership benchmark, the FCC, in its 2016 *Foreign Ownership Order*, modified its broadcast licensee foreign ownership review process by extending the streamlined rules and procedures previously developed for review of foreign ownership of common carrier and certain

¹⁰ *Pandora Radio LLC, Petition for Declaratory Ruling Under Section 310(b)(4) of the Communications Act of 1934, as Amended*, Declaratory Ruling, 30 FCC Rcd 5094, 5095-96, *recon. denied*, 30 FCC Rcd 10570 (2015).

¹¹ See e.g. *Hemisphere Media Group, Inc.*, Declaratory Ruling, 32 FCC Rcd 718, 724, 726 (MB 2017) (permitting up to 49.99 percent aggregate foreign ownership and granting specific approval to named entities and individuals to hold interests up to that level); *Univision Holdings, Inc.*, Declaratory Ruling, 32 FCC Rcd 6 (MB 2017) (permitting aggregate foreign ownership of 49 percent voting and equity and granting specific approval for named entities to hold 40 percent of the voting shares and 49 percent equity).

aeronautical licenses under Section 310(b)(4) to apply in the broadcast context,¹² with certain limited exceptions.¹³

5. The Commission noted that its 2016 decision to modify its foreign ownership filing and review process for broadcast licensees under Section 310(b)(4) was motivated by the Commission's belief that

¹² *Foreign Ownership Order*, 32 FCC Rcd. at 11279 “[W]e replace the *ad hoc* case-by-case procedures for requesting approval of foreign ownership of broadcast licensees with specific rules that incorporate the same streamlined procedures used for common carrier licensees....”

¹³ In its *Foreign Ownership Order*, 32 Rcd. at 11273, 11275, 11289-90, the FCC also reformed its methodology to be used by common carrier and broadcast licensees that are controlled by U.S. public companies to assess compliance with the foreign ownership limits contained in Sections 310(b)(3) and 310(b)(4) of the Act. However, those provisions of the *Foreign Ownership Order* are not relevant to this petition, since both Zoo and Anco Media are private companies and there is no difficulty, here, with either company ascertaining its foreign ownership. *cf.* *Frontier Media*, 32 FCC Rcd. at 1432 (“Because Frontier is not a publicly held company, we find that there is no need to require changes to its organizational documents to provide greater control over and information regarding the transfer of shares to aliens. Likewise, because Frontier is a limited liability company with only two members, it faces no difficulty in calculating its foreign ownership (in contrast with publicly held companies)....”)

“these changes will facilitate investment from new sources of capital at a time of growing need for investment in this important sector of our nation’s economy, while continuing to satisfy the requirements of Section 310 and the policies reflected in this Report and Order. We also find that adopting a standardized filing and review process for broadcast licensees’ requests to exceed the 25 percent foreign ownership benchmark in Section 310(b)(4), as we have done for common carrier licensees, will provide the broadcast sector with greater transparency and greater predictability, and reduce regulatory burdens and costs. As is the case with common carrier licensees, this standardized filing and review process will provide a clearer path for foreign investment in broadcast licensees that is more consistent with the U.S. domestic investment process, while continuing to protect important interests related to national security, law enforcement, foreign policy, trade policy and other public policy goals.”¹⁴

¹⁴ *Foreign Ownership Order* at 11273.

6. The most recent Media Bureau ruling approving a Petition for Declaratory Ruling to exceed the 25 percent foreign ownership benchmark is *Frontier Media, LLC*.¹⁵ That decision from earlier this year involved a proposed transfer of control of a U.S. corporate parent of several broadcast licensees to two non-U.S. citizens, who proposed between them to hold 100 percent of the ownership interests in the parent company, which, itself, would hold 100 percent of the voting and equity interests in the broadcast licensees. The Commission approval resulted in the two non-U.S. citizens holding an indirect 100 percent interest in FCC licensees of multiple broadcast stations. In making its decision, the Commission noted the absence of any grounds to object to the requested approvals, concluding, *inter alia*, that grant of the Petition for Declaratory Ruling would facilitate foreign investment in the U.S. broadcast radio market and potentially encourage reciprocal investment opportunities for U.S. companies in foreign markets.¹⁶ The

¹⁵ See note 6, *supra*.

¹⁶ *Frontier Media*, 32 FCC Rcd at 1431.

FCC, therefore, approved the Petition for Declaratory Ruling, while also granting the pending applications for transfer of control of the licensees.¹⁷

II. BACKGROUND – FACTUAL

7. Anco Media is a U.S. limited liability company, organized in the State of Florida in April 2015. It is owned by four individuals, who are citizens of Italy. Claudio Castiglioni Dompe owns a 40 percent voting and a 40 percent equity interest in Anco Media. Marco Mazzoli owns a 40 percent voting and a 40 percent equity interest in Anco Media. Claudia Castiglioni Dompe owns a 10 percent voting and a 10 percent equity interest in Anco Media. She is the daughter of Claudio Castiglioni Dompe. Stefania Pittaluga owns a 10 percent voting and a 10 percent equity interest in Anco Media. She is the wife of Marco Mazzoli. Anco Media is a consultant to Zoo with respect to the “Revolution” dance music programming format broadcast on the Zoo stations and it advises Zoo as to the implementation of that programming

¹⁷ *Id.* at 1432-33. In granting the Petition for Declaratory Ruling, the FCC noted that its “action taken herein is consistent with the policies and procedures set out in both the *Foreign Ownership Order* and the *Broadcast Clarification Ruling*.” *Id.* at 1430.

format. The FRN for Anco Media is 0026840413 . The mailing address for Anco Media is 250 NW 23RD Street unit 204 Miami 33127. Its telephone number is +1 (305) 456-2068. Its email address is info@revolution935.com . The certification required by Sections 1.5000(c) and 1.5001(a) of the Commission's rules, which is attached to this Petition, has been signed by Anco Media member, Marco Mazzoli.

8. Marco Mazzoli was born in Milan, Italy in October, 1971. He is an Italian citizen and holds permanent residence ("green card") status in the United States, residing in Miami, Florida. His family moved to Los Angeles, California in 1972, and he attended school in the United States until 1984, when his family relocated back to Milan, where he completed his schooling.

9. Shortly after his return to Milan, he began his career in Italian broadcasting, hosting programs, beginning in 1984, at local radio stations, then, over the next decade and a half, moving on to larger, regional stations, and, eventually, to network radio. In 1998, Mr. Mazzoli was hired by Radio 105 Network (one of the biggest nationwide stations in Italy). In

1999, he created the radio show "Lo Zoo di 105" (The 105 Zoo), which, shortly, became the most popular radio show in Italy, achieving the highest ratings in Italian radio history.

10. Mr. Mazzoli has continued to broadcast the show to Italy since moving back to the United States in 2011. He is the primary host and writer on the show, which may be heard by as many as 4.5 million Italian listeners throughout Italy each day. The program is also carried live each day on television on Comedy Central Italy. Mr. Mazzoli has 2.8 million fans on Facebook (lozoodi105) and receives more than 600,000 visits on his website (ilsitodellozoo.com) each day. Besides being the highest rated radio entertainer in Italy, Marco Mazzoli has also produced several television programs and, beginning in 2011, wrote three Italian best-sellers. In 2015, the notoriety engendered by his career in broadcasting resulted in the production and release throughout Italy of a movie about him based on stories contained in his books.

11. In 2011, Mr. Mazzoli moved to Miami, Florida, along with his wife, Stefania Pittaluga, where he created his own studio to continue broadcasting "The 105 Zoo" for his Italian audience. He has resided in Miami since 2011.

12. Shortly after locating to Miami, he was hired to host a morning dance music radio program at a local Miami radio station. He, subsequently, began programming the entire station. He currently serves as General Manager of Zoo Communications stations, WZFL, Islamorada, Florida, WBGF, Belle Glade, Florida, W226BU, Fort Lauderdale, Florida and W228BY, Miami, Florida and programs the stations' format. The two FM translators rebroadcast WHYI-HD2, which subchannel Zoo leases. While working at the Zoo radio stations, Mr. Mazzoli has hosted a morning show, an afternoon drive-time program and a late-afternoon show. He also serves as Marketing Director at the Zoo stations and is in charge of the stations' digital operations. He also is Manager of Zoo, but has no ownership interest in the company.

13. Marco Mazzoli has an ownership interest in U.S. companies, including Anco Media Group, a Florida limited liability company, formed in April 2015; Only4dj, LLC, a Florida limited liability company, registered in the State of Florida in July 2014; and Mbc Miami Broadcasting Corporation, a Florida corporation, registered with the State of Florida in September 2016.

14. Marco Mazzoli plans to continue to manage the Zoo broadcast facilities, as he is the creative genius behind the success of the company's stations.

15. Claudio Castiglioni Dompe was born in Milan, Italy in May, 1946. His primary residence is in Milan although he has maintained a United States residence in Miami, Florida since 2012. He is an Italian citizen.

16. Mr. Castiglioni Dompe has been a successful businessman, both in Italy and internationally. In 1975, he founded Assicentro Milano s.r.l., an insurance brokerage firm. The company developed rapidly and became an industry leader. In the late 1980's, the company was designated as a Lloyd Correspondent. In 1999, Mr. Dompe sold the company to a large Italian insurance group.

17. In 1996, Mr. Castiglioni Dompe founded Sviluppo Immobiliare s.p.a. That company developed residential real estate and renovated residential buildings, primarily in the cities of Milan, Rome and Torino. In 2007, Mr. Castiglioni Dompe purchased Anco Gama s.r.o., a real estate investment and consulting company based in Prague, Czech Republic. The company owns real estate in and around Prague. In 2011, he founded Anco Trading s.r.o., also

based in Prague. That company purchases, renovates, and trades both residential and office buildings. Anco Trading, additionally, has made real estate investments in Miami, Florida, though its 100 percent owned subsidiary, Anco Florida, Inc., which registered as a Florida corporation in April 2015.

18. Claudio Castiglioni Dompe is a 20 percent owner of Zoo. In 2015, Claudio Castiglioni Dompe and Marco Mazzoli founded Anco Media. Mr. Castiglioni Dompe is a 40 percent owner and serves as President of Anco Media Group. Mr. Castiglioni Dompe is also an owner and officer of Anco Ocean, LLC, a real estate investment company, which registered as a Florida limited liability company in July 2011.

19. Claudia Castiglioni Dompe was born in Milan, Italy in June, 1984. She is an Italian citizen. She attends the Miami Ad School, located in Miami, Florida, as a full-time student in order to improve her marketing skills, and has an M-1 Technical and Vocational Student Visa. She has resided in Miami since 2017.

20. Ms. Castiglioni Dompe has considerable business experience, primarily involving real estate investment and sales. Besides owning a 10 percent interest in Anco Media, she is also

a 10 percent owner of Anco Trading s.r.o., which owns Florida corporation, Anco Florida, Inc., and she is the Manager of Anco Ocean, LLC. Over the past 8 years, she has worked at Sviluppo Immobiliare s.p.a. as a general contractor assistant and operational manager, at Anco Gama s.r.o. in real estate consultation and digital sales promotion, at Anco Trading s.r.o. as a consultant and with other Milan real estate companies, Malastrana s.r.l. and Gabetti Milano Centro s.r.l., as a commercial and residential consultant and realtor. She is a licensed realtor and is fluent in Italian, English and Spanish.

21. Stefania Pittaluga was born in Milan, Italy, in 8 of December, 1973. She is an Italian citizen. She has permanent residence status in the United States along with her husband, Marco Mazzoli, and they both have resided in Miami since 2011. She is a member of Anco Media, owning a 10 percent interest, and is resident agent for Anco Ocean, LLC, Only4dj, LLC and MBC Miami Broadcasting Corporation.

22. Petitioners request that the Commission approve this Petition and the Application for Transfer of Control of FCC licensee, Zoo, to foreign investor, Anco Media, so that Anco Media will own a 100 percent (voting and equity) interest in Zoo. Additionally, upon approval of

this Petition, each of the four owners of Anco Media will maintain a non-controlling interest in the controlling U.S. parent, Anco Media, of an FCC licensee, Zoo. Petitioners further request advance Commission approval for investors, Marco Mazzoli, Claudio Castiglioni Dompe, Claudia Castiglioni Dompe and Stefania Pittaluga to increase their voting and equity interest at some future time up to any non-controlling interest not to exceed 49.99 percent.¹⁸

III. DISCUSSION

The purpose of this Petition is to request FCC approval for Anco Media to own 100 percent of Zoo, the licensee of four stations and for the individual owners of Anco Media to have

¹⁸ Under the *Foreign Ownership Order* 11282, 11284, and Section 1.500(k)(2) of the FCC's rules, the Commission may fulfill its Section 310(b)(4) obligations with respect to foreign ownership by considering requests for approval for any non-controlling named foreign investor to increase its voting and equity interest up to and including a non-controlling interest of 49.99 percent in the parent at some future time. Assuming the approval of this Petition, in the event any of the four individual foreign investors seek to acquire any additional equity or voting interest above a 49.99 percent interest in Anco Media, the U.S. parent company, the licensee, Zoo, would be required to file a new Section 310(b)(4) Petition to obtain Commission approval before any of the foreign investors acquired such an additional interest, since FCC grant of Zoo's new Petition would constitute a modification of an initial ruling. *Id.* at

11 27?, n 46.

an indirect ownership in Zoo. Under the facts and circumstances set out above, the Commission, under Section 310(b)(4) of the Act, should find the public interest would not be served by prohibiting the proposed foreign ownership of Zoo by Anco Media. As noted above, the foreign ownership limitations contained in Section 310(b)(4) were adopted because of concerns that foreign owners controlling the instruments of communications in time of emergency could present a security threat to this country. Additionally, in broadcasting, there was a fear that foreign owners could disseminate alien propaganda within their broadcasts to U.S. citizens.

Clearly, given the friendly, non-threatening relationship between the United States and Italy over the past 60 years, during which time Italy has been one of the most supportive of U.S. allies and with a significant portion of the U.S. population historically being of Italian heritage, approval of this Petition and indirect ownership of FCC stations by Italian citizens, here, would not implicate any homeland security issues or concerns. In addition, this Petition will be reviewed by Executive Branch agencies, including the Department of Homeland Security, to

protect important interests relating to national security, law enforcement, foreign policy, trade policy and other public policy concerns. The proposed transaction will involve only four individual investors, Marco Mazzoli and his wife, Stefania Pittaluga, and Claudio Castiglioni Dompe and his daughter, Claudia Castiglioni Dompe.

Granting the instant Petition will further the public interest goals set out in the 2016 *Foreign Ownership Order* and the 2013 *Broadcast Clarification Ruling*. Approval of this proposal will clearly facilitate foreign investment from a new source of capital to a recent entrant in an important U.S. broadcast radio market, which listenership is composed of a substantial number of minority individuals. Approval of the Petition will result in the investment and participation by a U.S. based limited liability company composed of foreign individuals, including one who stands ready and able to operate the stations based on his knowledge and expertise in broadcasting achieved over a lifetime, not to mention his immediate experience

successfully operating these very stations, while, also, potentially encouraging reciprocal investment opportunities for U.S. companies in foreign markets.¹⁹

For these reasons, the Commission should conclude that grant of this Petition will serve the public interest. The Commission approval should permit 100 percent of the equity and voting interest in Zoo to be held by Anco Media and for its four owners specifically to own non-controlling ownership interests in Anco Media, in the future, up to 49.9 percent of the voting and equity of Anco Media, much as the Commission previously approved such specific ownership by individuals in its decisions, *Universal Holdings*²⁰ and *Hemisphere Media*.²¹

IV. CONCLUSION

This case presents the perfect opportunity for the Commission to implement the streamline review process for assessing foreign ownership in the broadcast context, adopted in

¹⁹ *Frontier Media* at 1431.

²⁰ *Universal Holdings*, 32 FCC Rcd at 13.

²¹ *Hemisphere Media*, 32 FCC Rcd at 725.

the FCC's *Broadcast Clarification Ruling*. There are no national security threats present and approval will facilitate investment in the U.S. broadcast market. The public interest is clearly advanced by granting this Petition and approving the application to transfer ownership of Zoo and its stations to Anco Media.

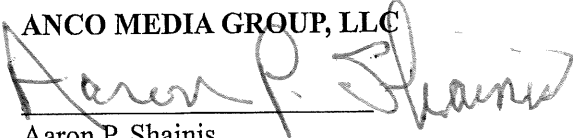
Respectfully submitted,

ZOO COMMUNICATIONS, LLC

and

ANCO MEDIA GROUP, LLC

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November 28, 2017

EXHIBIT 1

Zoo Communications, LLC		
Station	Community of License	Facility ID No.
WZFL	Islamorada, FL	189556
WBGF(FM)	Belle Glade, FL	59661
W228BV	Fort Lauderdale, FL	138576
W228BY	Miami, FL	140483

DECLARATION OF MARCO MAZZOLI

I, Marco Mazzoli, hereby declare as follows, on behalf of Anco Media Group, LLC:

1) I am a member and 40 percent owner of Anco Media Group, LLC (the proposed Transferee in this transaction). My wife, Stefania Pittaluga, is a 10 percent owner of Anco Media Group, LLC. Claudio Dompe is a 40 percent owner of Anco Media Group, LLC and Claudia Dompe, his daughter, is a 10 percent owner of Anco Media Group, LLC. Anco Media Group, LLC has calculated the ownership interests disclosed in its Petition for Declaratory Ruling based on its review of the FCC's rules and the interests disclosed satisfy the standards and criteria set forth in those rules.

2) Currently, I am the General Manager of broadcast stations licensed to Zoo Communications, LLC ("Zoo") and I am a Manager of Zoo.

3) My wife Stefania and I are Italian citizens. However, both of us are permanent residents of the United States and have been residents of Miami, Florida since 2011. Also, I previously resided and attended school in Los Angeles, California for a significant period during my youth.

I have reviewed the foregoing Petition for Declaratory Ruling and all of the facts stated therein are true and correct to the best of my knowledge, information and belief. I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated this 30th day of August, 2017.



Marco Mazzoli